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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,151	03/02/2004	Arjuna Indraeswaran Rajasingham		3034

7590 04/14/2009
A. I. RAJASINGHAM
6024 BRADLEY BLVD.
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EXAMINER

MCPHILLIP, ADRIAN J

ART UNIT	PAPER NUMBER
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3623

MAIL DATE	DELIVERY MODE
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04/14/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 3623

Election by Original Presentation

1. Amended claims 1-10 and 12, as well as newly submitted claims 13-14 are directed to an invention that is independent or distinct from the invention originally claimed for at least the following reasons: the obtaining, querying, iterating, providing and selecting steps disclosed by independent claims 1 and 13 (and their corresponding dependent claims) are patentably distinct from the querying, enabling and creating steps disclosed by the originally filed set of claims.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 1-10 and 13-14 are withdrawn from consideration as being directed to a non-elected invention. Thus, since no claims directed to the previously elected invention are pending, the previous invention is in effect canceled. An amendment only presenting claims drawn to a non-elected invention is non-responsive. See 37 CFR 1.142(b) and MPEP § 821.03.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrian J. McPhillip whose telephone number is (571)270-5399. The examiner can normally be reached on Monday to Thursday 7:30 - 5:00 EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571)272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. J. M./
Examiner, Art Unit 3623

4/12/2009

/Beth V. Boswell/
Supervisory Patent Examiner, Art Unit 3623